

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GUSTAVE BROWN,

Plaintiff,

v.

WARDEN CARTER, N.T.C./D.O.C./V.C.B.C.;  
CAPTAIN GUERRA, N.T.C./D.O.C./V.C.B.C.;  
CAPTAIN JOHN DOE, N.T.C./D.O.C./V.C.B.C.;  
CAPTAIN HORTON, N.T.C./D.O.C./V.C.B.C.,

Defendants.

21-CV-8981 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On March 7, 2022, Defendants filed a motion to dismiss this action under Federal Rule of Civil Procedure 12(b)(6). Dkt. 12. According to an affidavit of service filed by Defendants' counsel, the motion papers were served on Plaintiff by mail. Dkt. 15. On June 8, 2022, having not received any response from Plaintiff to Defendants' motion, the Court directed Plaintiff to file "either a response to Defendants' motion or a letter indicating that he does not intend to file a response." Dkt. 16. The Court further stated that if Plaintiff were to indicate that he does not intend to oppose Defendants' motion, it would deem the motion fully briefed and take it under consideration; if, however, Plaintiff were to not respond at all, then the Court could dismiss the action for failure to prosecute under Federal Rule of Civil Procedure 41(b). *Id.*

As of today's date, Plaintiff has not responded to that order, nor has the Court heard from Plaintiff since the filing of his complaint.

Plaintiff is directed to respond to the Court's June 8, 2022 order by no later than August 15, 2022. If he fails to do so, the Court will dismiss this action for failure to prosecute. The

Clerk of Court is respectfully directed to mail a copy of this order, as well as the order at docket entry 16, to Plaintiff.

SO ORDERED.

Dated: July 28, 2022  
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written over a horizontal line.

Ronnie Abrams  
United States District Judge